

APPEAL NO. 022345
FILED NOVEMBER 6, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on September 3, 2002. The hearing officer resolved the disputed issues by deciding that the appellant (claimant) did not sustain a compensable injury on _____; that the claimant has not had disability; and that the claimant timely reported her claimed injury to her employer. The claimant appeals the hearing officer's determinations that she did not sustain a compensable injury and that she has not had disability. No response was received from the respondent (carrier). There is no appeal of the hearing officer's determination that the claimant gave timely notice of her claimed injury to her employer.

DECISION

The hearing officer's decision is affirmed.

The claimant had the burden to prove that she sustained a compensable injury as defined by Section 401.011(10) and that she has had disability as defined by Section 401.011(16). Conflicting evidence was presented at the CCH. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. The claimant contends that the hearing officer was prejudiced. The hearing officer's decision and the CCH record do not reflect any prejudice on the part of the hearing officer. The claimant also asserts that the hearing officer and the carrier's representative had a friendly conversation after the claimant and her attorney left the hearing room. If such a conversation occurred, the claimant gives no indication that it had anything to do with matters relating to the CCH. Thus, there is no basis for reversal of the hearing officer's decision based on that assertion. We conclude that the hearing officer's decision is supported by sufficient evidence and that it is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS SUITE 750, COMMODORE 1
AUSTIN, TEXAS 78701.**

Robert W. Potts
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Michael B. McShane
Appeals Judge